



LEGISLATIVE BRANCH CITY OF BINGHAMTON

William Berg, City Council President
Jeremy Pelletier, City Clerk

CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley Street, Binghamton Monday February 2, 2015

The Work Session begins at 6:00pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	Finance	Motsavage	Discussion: Update on OurSpace RL 15-17: Accepting donation for OurSpace at Rec Park	36	Jennifer O'Brien Bill Barber
6:15pm	Finance Finance	Motsavage Motsavage	RL 15-15: 2015 Bond Ordinance RL 15-10: Amending 2014 Parking Ramps budget	29-30 1-3	Chuck Shager
6:30pm			Discussion: LED lights		Johnson Controls
6:45pm	Finance	Motsavage	RL 15-11: Agreement with GHD Consulting for work order #6 for BAF restoration at JSTP	4-24	Gary Holmes
	Finance	Motsavage	RL 15-12: Supplemental Agreement No. 3 with Delta Engineers for a time extension to complete construction and inspection services	25-26	
	PW/Parks	Motsavage	RL 15-13: Binghamton City Council lead agency under SEQR for BAF restoration and rehab at JSTP	27	
	PW/Parks	Motsavage	RL 15-14: Binghamton City Council lead agency under SEQR for Washington St. Parking Project	28	
	PW/Parks	Motsavage	RL 15-18: Binghamton City Council lead agency under SEQR for OurSpace at Rec Park	37	
7:00pm	Finance	Motsavage	Discussion: Noise Ordinance feedback RL 15-16: Correction to 2015 tax rolls	31-35	Jeremy Pelletier
7:15pm			Discussion: Binghamton mobile app		Jared Kraham
7:30pm			Discussion: Review of Committee Reports & Pending Legislation		Council President Berg

COMMITTEE REPORTS

Employees Committee: Berg (Chair), Webb, Papastrat

Potential amendments to residency requirements for City of Binghamton employees.

Municipal & Public Affairs Committee: Motsavage (Chair), Webb, Matzo

Potential amendments to the City of Binghamton's noise ordinance regulations.

Public Works/Parks & Recreation Committee: Motsavage (Chair), Berg, Mihalko

Review the Traffic Signal Removal Study.



Legislative Branch

RL Number:

15-10

Date Submitted:

11/18/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER

Contact Information: CESHAGER@CITYOFBINGHAMTON.COM 772-7011

RL Information

Proposed Title: Amend
REVISE 2014 RAMPS BUDGET

Suggested Content: FOR THE YEAR 2014 THE RAMPS FUND WILL BE OVERDRAWN IN THEIR INSURANCE (54300), MANAGEMENT (54427) AND ELECTRICITY (54202), WHILE BEING UNDER BUDGET ON THEIR BAN PRINCIPAL AND INTEREST LINES (CP9730.56000 AND 57000). SEE ATTACHED LETTER FOR DETAIL AMOUNTS.

Additional Information

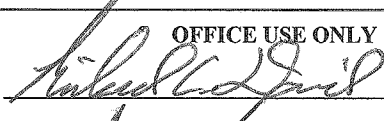


Does this RL concern grant funding? Yes ☒ No ☐

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



CITY OF BINGHAMTON

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

REQUEST FOR TRANSFER OF FUNDS

*Transfer requests of \$2500 or less must be approved by the Comptroller.
Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.
Transfer requests in excess of \$10,000 must be approved by City Council.*

City Comptroller
c/o Board of Estimate and Apportionment
38 Hawley Street
Binghamton, NY 13901

Date: 1/20/2015

I respectfully request the below described transfer of funds due to the following reasons:

To cover shortages to various Parking Ramps budget lines

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
Please see attached		

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: _____

Date: 1-21-15

OFFICE USE ONLY

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature: _____

Date: _____

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, *Appropriations*. Certified by the Treasurer.

Signature: _____

Date: _____

Transfer of funds **APPROVED** ☒ **DENIED** ☐ on 1/28/15. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: _____

Date: 1/28/15

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: _____

Date: _____

FROM BUDGET LINE

CP9730.56000	BAN PRINICPAL	\$38,583.00
CP9730.57000	BAN INTEREST	<u>\$10,999.00</u>
		\$49,582.00

TO BUDGET LINE

CP5650.54300	INSURANCE	\$16,669.80
CP5650.54427	MANAGEMENT SERVICES	\$28,077.71
CP5650.54202	ELECTRICITY	<u>\$4,834.49</u>
		\$49,582.00



Legislative Branch

RL Number:

15-11

Date Submitted:

1/29/13

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes, P.E.

Title/Department: Engineering - Acting City Engineer

Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: Work Order #6 With GHD for Consulting Engineering Services for the BAF

Restoration and Rehabilitation at the BJCJSTP

Suggested Content: GHD will complete Work Order #6 for consulting engineering services for the
BAF Restoration and Rehabilitation Project at the BJCJSTP. Funding for these services is available
in budget line HX8150.500100.J1NN.

Additional Information

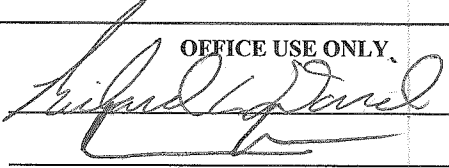


Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☐

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



Work Order-06

Plant Restoration and Rehabilitation Final Design

I. DESCRIPTION

An engineering evaluation of the Binghamton Johnson City Joint Sewage Treatment Plant was submitted by the City of Binghamton to the New York State Department of Environmental Conservation (NYSDEC) on January 5, 2015. This was done in response to the requirements of the Consent Order. The evaluation was prepared as part of Work Orders No.01 and No. 02.

The goal of the engineering evaluation was to develop a secondary treatment system with adequate treatment capacity to accommodate the original design flows and loads established for the original upgrade in the 2000s. This work included analysis and development of recommendations for the biological aerated filters (BAF), and ancillary systems, such as BAF backwash treatment, treatment of return flow streams, scum removal, fine screening, secondary influent pump station, and related electrical, mechanical (HVAC), and plumbing systems.

The recommendations prepared under Work Orders No. 01 and No. 2 generally included:

- Demolish the existing fine screening building and existing C-BAF cells
- Modify existing N-BAF cells to CN-BAF cells (BIOSTYR DUO Media)
- Construct new CN-BAF cells (BIOSTYR DUO Media)
- Construct new backwash tank
- Convert existing DN-BAF system to BIOSTYR DN-BAF system
- Construct new influent fine screens for Binghamton side and Johnson City side
- Modify SIPS dry well and wet well and replace pumps
- Construct new BAF backwash treatment system
- Modify existing Thickener No. 1 to centrate equalization
- Replace coarse screens in Head House
- Convert existing grit chambers to stacked tray vortex grit chambers
- Construct new aerated influent channels for chemically enhanced primary treatment (CEPT)
- Construct new CEPT system
- Replace all chain and flights and scum removal on all primary clarifiers
- Reconfigure the flow path of Primary Clarifiers No. 7 through No. 10
- Repurposing the Compost Facility as maintenance shops and administration offices
- Replace the motor control center in the Head House

The processes designed under this Work Order will be based on the following influent flows and loads:

	Basis of Design ¹
Flow (mgd)	
Average	24
Maximum month	38
Peak C-N	60
Peak DN	35
TSS (lbs/day)	
Average	31,000
Maximum month	48,000
CBOD (lbs/day)	
Average	32,000
Maximum month	41,500



Work Order-06

Plant Restoration and Rehabilitation Final Design

NH ₃ (lbs/day)	
Average	2,000
Maximum month	3,400
TKN (lbs/day)	
Average	4,300
Maximum month	6,400
TN (lbs/day)	
Average	4,300
Maximum month	6,400

This Work Order (No. 06) will advance the concept design to the final design. Under this Work Order, engineering services will be provided to:

- Advance the concept design from 30%, to 60% to 100% final design construction documents; and
- Publically bid the project.

It is anticipated to have the following construction documents for this project:

- Facilities Demolition (1 contract).
- BIOSTYR and Actiflo Pre-selection (1 contract)
- Plant Restoration and Rehabilitation (4 contracts)

II. SCOPE OF SERVICES

A. Final Design Phase Services

1. Provide a final design for the CN-BAF and DN-BAF facilities. The final design for these facilities is anticipated to include:
 - a) Pre-select the BAF equipment by Veolia Water Solutions and Technologies.
 - b) Demolition of the existing fine screening building and existing C-BAF cells.
 - c) A backwash tank sized to accept the full backwash volume of the larger C/N cells. The backwash tank will be equipped with pumps to empty the tank. The backwash tank wall facing Fuller Hollow Creek will be designed as a flood mitigation wall.
 - d) Fourteen CN-DUO-BAF cells by Veolia Water Solutions and Technologies. The CN-DUO-BAF system will have influent and effluent channels that meet with the SIPS discharge and the backwash tank inlet. Synthetic fabric covers will be provided for cells and channels. The CN-BAF cell wall facing Fuller Hollow Creek will be designed as a flood mitigation wall.
 - e) Four DN-BAF cells by Veolia Water Solutions and Technologies. The existing DN-BAF cells will be modified and the existing influent and effluent channels will be reused.
 - f) The DN-BAF cell influent pumps will be replaced in-kind.
 - g) New process piping and pumps for the methanol system that feeds the DN-BAF cells.
 - h) A section of flood mitigation wall along Fuller Hollow Creek that connects the existing primary clarifier wall to the new backwash tank wall. Coordination with the City's flood mitigation wall consultant with regards to connection of CN-BAF wall to the flood mitigation wall across Old Vestal Road.
 - i) Site-Civil grading and yard piping.
 - j) Structural and architectural design for the facilities.
 - k) Electrical design for the facilities.



Work Order-06

Plant Restoration and Rehabilitation Final Design

- l) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - m) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
2. Provide a final design for two, new fine screening facilities. The final design for this facility is anticipated to include:
- a) Demolition of the existing Grit Washing House No. 1 and No. 2.
 - b) Two block and brick type buildings, one each to house the Binghamton screens and the Johnson City screens.
 - c) Two continuously cleaned mechanical bar screens in each building (3/8 inch wide opening). Also, one manually cleaned by-pass screen in each building (3/4 inch wide opening).
 - d) New screenings washer/compactors on each mechanically cleaned screen.
 - e) Screenings disposal into roll off container
 - f) New influent pipe to connect to the existing Binghamton and Johnson City forcemains.
 - g) Site-Civil grading and yard piping.
 - h) Structural and architectural design for the facilities.
 - i) Electrical design for the facilities.
 - j) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - k) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
 - l) New odor control duct work in the screenings buildings with connection to the existing odor control duct work. Because the compost facility is no longer in service it is assumed that the existing odor control system has capacity for the screenings buildings.
3. Provide a final design for coarse screens in Head House. The final design for facility is anticipated to include:
- a) Replace in-kind, two continuously cleaned mechanical bar screens.
 - b) New screenings washer/compactors.
 - c) Interior restoration of the existing screening building with new doors and windows.
 - d) Structural and architectural design for the facilities.
 - e) Electrical design for the facilities.
 - f) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - g) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
4. Provide a final design for upgraded grit chambers. The final design for facility is anticipated to include:
- a) Retrofit of existing Pista®-Grit removal systems with Headcell® Grit removal systems.
 - b) New grit pumping and classifier systems.
 - c) Structural and architectural design for the facilities.
 - d) Electrical design for the facilities.
 - e) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
5. Provide a final design for new aerated influent channels. The final design for facility is anticipated to include:
- a) New/modified serpentine channels following grit removal including new blowers and diffused aeration system.
 - b) Modified channel design including isolation gates to allow for bypass of the grit removal systems.



Work Order-06

Plant Restoration and Rehabilitation Final Design

- c) Site-Civil grading and yard piping.
 - d) Structural design for the facilities.
 - e) Electrical design for the facilities.
 - f) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
6. Provide a final design for the modified SIPS. The final design for this facility is anticipated to include:
- a) Modification of the existing backwash tank into a wet-well. The modification includes removal of the existing 54-inch SIPS influent pipe, enlarging inlet, constructing flow distribution channel in the wet well, and sloping the floor.
 - b) Replace the SIPS motors and pumps.
 - c) The existing power distribution system and variable frequency drives will be reused to the maximum extent practical.
 - d) Reconstruct the SIPS header and forcemain to provide better access to motor and pumps.
 - e) New monorail and hoist.
 - f) New pump access vault on the west side of the SIPS.
 - g) Site-Civil grading and yard piping.
 - h) Structural and architectural design for the facilities.
 - i) Electrical design for the facilities.
 - j) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - k) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
7. Provide a final design for BAF backwash treatment. The final design for this facility is anticipated to include:
- a) Pre-select the BAF equipment by Veolia Water Solutions and Technologies.
 - b) One new Actiflo unit by Veolia Water Solutions and Technologies sized for 8.9 mgd.
 - c) One block and brick type building for chemical and sand storage for the Actiflo unit.
 - d) New chemical and micro-sand storage feed facilities.
 - e) A new force main to convey BAF backwash wastewater across the site from the BAF complex to the Actiflo unit. The forcemain will start at the backwash pumps and end at the Actiflo unit.
 - f) Installation of a sludge pumping system and force main to convey sludge from the Actiflo unit to the existing sludge gravity thickener.
 - g) Site-Civil grading and yard piping.
 - h) Structural and architectural design for the facilities.
 - i) Electrical design for the facilities.
 - j) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - k) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
8. Provide a final design for modification of Thickener No. 1 for centrate equalization. The final design for this modification is anticipated to include:
- a) A gravity sewer from the centrifuges to Thickener No. 1.
 - b) Modifications to the existing gravity thickener for conversion to centrate equalization.
 - c) The tank will be equipped with pumps to empty the tank.
 - d) Electrical design for the facilities.
 - e) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.



Work Order-06

Plant Restoration and Rehabilitation Final Design

9. Provide a final design for upgraded and modified primary clarifiers. The final design for facility is anticipated to include:
 - a) New chain and flights and scum removal on all primary clarifiers.
 - b) Reconfigure existing Distribution Box No. 2 for scum collection and scum pumping for Primary Clarifiers No. 7 through No. 10.
 - c) Reconfigure the flow path of Primary Clarifiers No. 7 through No. 10.
 - d) Structural and architectural design for the facilities.
 - e) Electrical design for the facilities.
 - f) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - g) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
10. Provide a final design for new Chemically Enhanced Primary Treatment (CEPT). The final design for facility is anticipated to include:
 - a) Chemical tanks, pumps and piping for a metal salt located within the existing east odor control scrubber building.
 - b) Pumps, storage and piping for a chemical tote polymer feed system.
 - c) Demolition of odor control scrubbers.
 - d) Site-Civil grading and yard piping.
 - e) Structural and architectural design for the facilities.
 - f) Electrical design for the facilities.
 - g) Instrumentation design for the facilities. Equipment will be PLC based and "SCADA ready," for integration into the existing plant-wide SCADA network.
 - h) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
11. Provide a final design for repurposing the existing compost facility into maintenance and administration building. The final design for facility is anticipated to include:
 - a) Maintenance and administration spaces including:
 - i. Training room
 - ii. Men's locker, shower and toilet room
 - iii. Women's locker, shower and toilet room
 - iv. Mechanic shop
 - v. Electrical shop
 - vi. Work bay
 - vii. Mechanical room
 - viii. Electrical room
 - ix. Conference room
 - x. Control room (just the space not the control center)
 - xi. Office
 - b) Site-Civil grading and yard piping.
 - c) Structural and architectural design for the facilities.
 - b) Electrical design for the facilities.
 - c) Fire protection.
 - d) HVAC design for the facilities. The building will be in accordance with applicable codes (10-States Standards and NFPA 820).
12. Provide a final design for new motor control center in the Head House. The final design for facility is anticipated to include:
 - a) Electrical design for the facilities.



Work Order-06

Plant Restoration and Rehabilitation Final Design

13. Provide SCADA planning and design. The planning and design for SCADA is anticipated to include:
 - a) Expand the Ethernet network architecture to encompass the new facilities identified in this Work Order.
 - b) Collaborate network expansion with existing processes.
 - c) Layout and specify PLCs for new facilities identified in this Work Order (No. 6). Programming of PLCs will be under separate Work Order for Construction Administration.
 - d) Design new SCADA control room with one control station and one monitor station.
14. Provide hazardous material survey for the following buildings. This work will be subcontracted to Shumaker Engineering, Binghamton.
 - a) Fine Screen Building
 - b) Gallery under existing C-BAF cells
 - c) Grit Washing House No. 1
 - d) Grit Washing House No. 2
 - e) Binghamton Coarse Screen Building
15. Provide environmental permitting including the following. This work will be subcontracted to EDR, Syracuse.
 - a) Prepare an Environmental Assessment Form (EAF) in compliance with the State Environmental Quality Review Act (SEQRA);
 - b) Prepare a SWPPP in compliance with the NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Associated with Construction Activities (GP-0-15-001); and
 - c) Provide wetland permitting assistance for potential impacts to adjacent waters of the United States.
 - d) SHPO was completed in 2013 and no significant changes to the project with respect to SHPO have been made. No further work for SHPO is needed.
16. Provide a final design for geotechnical. This work will be subcontracted to Brierley Associates, Syracuse. The final design for geotechnical is anticipated to include:
 - a) Interpret existing soils data.
 - b) Prepare foundation designs for new structures.
17. Provide Bid Phase Services, including:
 - a) Provide 30 sets of bidding documents per bid package, and assist the Owner with uploading project information to their procurement website.
 - b) Attend and facilitate one (1) pre-bid meeting per bid package
 - c) Prepare and issue necessary addenda based upon regulatory agency or contractor questions or comments.
 - d) Attend one (1) bid opening per bid package.
 - e) For each bid package, review bids, prepare a tabulation of bids, and provide the Owner with a recommendation of award to the lowest responsible bidder.
18. Provide Project Management, including:
 - a) This task allows for the routine management, administration, and coordination of the work efforts for the final design activities. Included in this task is the appropriate coordination with the City, the Plant Staff and engineering team members, management of the project, monitoring of budget and schedule, and administrative assistance for NYSDEC and EFC.
19. The engineering team will participate in progress meetings with the Owner and the NYSDEC. The anticipated meetings include:
 - a) By-weekly meetings with the Owner (12 meetings)
 - b) NYSDEC meetings (6 meetings) for the following topics:



Work Order-06

Plant Restoration and Rehabilitation Final Design

- i. Mass Balance
- ii. Basis of Design Memo
- iii. Jar Testing-CEPT
- iv. 30 Percent Design, Hydraulic Profile, Permitting
- v. 60 Percent Design
- vi. 100 Percent Design.

III. DELIVERABLES

- A. Meeting agendas and meeting minutes for:
 - 12 Owner/Plant Staff meetings
 - 6 NYSDEC meetings
- B. Plant-wide Mass Balance Table
- C. Basis of Design Tables
- D. Plant-wide Hydraulic Profile Figure
- E. SEQR Environmental Permitting Documents
- F. 30 Percent Design Bid Documents
- G. 60 Percent Design Bid Documents
- H. 100 Percent Design Bid Documents

IV. KEY PERSONNEL

Representative of Owner	Engineering Team
Gary Holmes	Michael Tamblin
Cathy Young	Howard LaFever
	Bruce Munn
	John LaGorga
	John Revette
	Dan Lalande
	Lauren Scanlan

V. SCHEDULE

Task	Completion Date
Plant-wide Mass Balance Table	01/23/15
Basis of Design Tables	02/06/15
Plant-wide Hydraulic Profile Figure	03/13/15
100 Percent Design Bid Documents	07/08/15



Work Order-06

Plant Restoration and Rehabilitation Final Design

VI. COMPENSATION

- A. The Owner will be billed for actual labor hours charged at the billing rates contained in Attachment A, plus direct project expenses (e.g., identifiable reproduction costs, shipping charges). The compensation for the Scope of Services outlined in Section II is estimated to be \$5,934,000, as indicated in the Fee Schedule in Table 1.
- B. Payments for the work will be due monthly on the basis of statements submitted by GHD Consulting Services Inc. for the work performed during the period.
- C. Additional services beyond the Scope of Services will be considered extra work and will necessitate additional compensation.

VII. STANDARD TERMS AND CONDITIONS

The services described above will be completed as Work Order-06 under the Terms and Conditions of the Agreement dated September 30, 2014 between GHD Consulting Services Inc. and the City of Binghamton.

VIII. NEW YORK CLEAN WATER STATE REVOLVING FUND CONTRACTING REQUIREMENTS

GHD Consulting Services Inc. will comply with the applicable provisions of "Required Terms for Project Contracts and Subcontracts" as defined in the NY State Revolving Fund Bid Packet for Non-construction Contracts and Service Providers, as prepared by the New York State Environmental Facilities Corporation. Refer to Attachment B.

This Work Order is duly executed between Consultant and Client by signature or City Resolution (Attachment C). Upon execution of this Work Order, Consultant is authorized to proceed with the work.

CONSULTANT:

CLIENT:

GHD CONSULTING SERVICES INC.

CITY OF BINGHAMTON

By: _____
Michael E. Tamblin, P.E.

By: _____

Title: _____
Principal

Title: _____

Date: _____

Date: _____

Work Order-06
Simulation Final Design

Plant Restoration and Rehabilitation Final Design

TABLE 1

AF (task 1)	Headworks (tasks 2,3,4 and 5)	SIPS (task 6)	Sidestream Trmt (tasks 7 and 8)	Clarifiers & CEPT (tasks 9 and 10)	Maintenance Building (task 11)	Head House MCC (task 12)	SCADA (task 13)	Bidding (task 17)	QA/QC, Management, Meetings, EFC (tasks 18 & 19)	Total Hrs	Billing Rate	Total Cost	Subtotals
127	87	111	87	127			17		50	604	\$220.00	\$132,880.00	
182	90	106	90	130	70			24	250	942	\$210.00	\$197,820.00	
143	83	483	83	123	220					1138	\$180.00	\$204,480.00	
194	70	70	70	110		120	67	60	600	1174	\$170.00	\$199,580.00	
335	583	335	335	375	220			50		2418	\$160.00	\$386,880.00	
130	130	130	130	170						632	\$140.00	\$88,680.00	
102	102	102	102	142	940		102	200	362	650	\$130.00	\$84,500.00	
586	163	255	417	556		80				3598	\$120.00	\$431,760.00	
481	931	509	843	315	380			250		3541	\$110.00	\$389,510.00	
				622						872	\$100.00	\$87,200.00	
										818	\$110.00	\$89,980.00	
156	156	156	156	196				20		988	\$140.00	\$138,320.00	
94	34	268	174	340				100		3718	\$110.00	\$408,980.00	
784	704	704	704	638			83			1420	\$100.00	\$142,000.00	
83	83	163	83	123	800		83			1840	\$85.00	\$156,400.00	
240	240	280	460		540	80				396	\$70.00	\$27,720.00	
336	336									0	\$85.00	\$0.00	
										0	\$90.00	\$0.00	
										0	\$60.00	\$0.00	
30	30	24	42	40	36			40		302	\$70.00	\$21,140.00	\$3,196,030.00
1300									300	1600	\$150.00	\$304,000.00	
1000									100	1100	\$185.00	\$203,500.00	
1000										1000	\$185.00	\$185,000.00	
5000										5000	\$80.00	\$800,000.00	
										0	\$140.00	\$0.00	
4500										4500	\$120.00	\$540,000.00	
3500										3500	\$110.00	\$385,000.00	
										0	\$70.00	\$0.00	\$2,417,500.00
2,834,405.50	\$480,145.50	\$490,945.50	\$461,685.50	\$516,298.00	\$376,720.00	\$34,800.00	\$45,050.00	\$88,840.00	\$284,440.00	41809			\$5,613,530.00
\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00			\$10,000.00	
\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$7,000.00	\$2,000.00			\$25,000.00	
\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00			\$50,000.00	
\$52,000.00	\$37,000.00	\$42,000.00	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$155,000.00	
\$68,000.00	\$53,000.00	\$58,000.00	\$28,000.00	\$28,000.00	\$16,000.00	\$16,000.00	\$16,000.00	\$21,000.00	\$16,000.00				\$320,000.00
2,902,405.50	\$533,145.50	\$548,945.50	\$489,885.50	\$544,298.00	\$392,720.00	\$50,800.00	\$61,050.00	\$109,840.00	\$300,440.00				\$5,934,000.00
ESTIMATED COMPENSATION													\$5,934,000.00



Work Order-06

Plant Restoration and Rehabilitation Final Design

ATTACHMENT A RATE SCHEDULE

1.1 GHD CONSULTING SERVICES HOURLY RATES

CLIENT shall pay Compensation for labor based on CONSULTANT's rate schedule below. The Rate Schedule provided below shall be in effect through completion of this Work Order:

Labor Category	Hourly Rate
Project Director	\$220.00
Senior Technical Advisor	\$210.00
Technical Advisor	\$180.00
Senior Project Manager	\$170.00
Senior Engineer	\$160.00
Project Manager	\$140.00
Project Engineer II	\$130.00
Project Engineer I	\$120.00
Engineer or Scientist II	\$110.00
Engineer or Scientist I	\$100.00
Architect	\$110.00
Managing Designer	\$140.00
Senior Designer	\$110.00
Designer	\$100.00
Senior Drafter	\$85.00
Drafter	\$70.00
Technician	\$65.00
Construction Project Representative	\$90.00
Field Technician	\$60.00
Secretarial/Word Processing	\$70.00

1.2 JL RICHARDS HOURLY RATES

CLIENT shall pay Compensation for labor based on CONSULTANT's rate schedule below. The Rate Schedule provided below shall be in effect through completion of this Work Order:

Labor Category	Hourly Rate
Project Director	\$190.00
Technical Advisor	\$185.00
Senior Project Manager	\$185.00
Senior Engineer	\$160.00
Project Manager	\$140.00
Project Engineer	\$120.00
Designer-Drafter	\$110.00
Secretarial/Word Processing	\$70.00



Work Order-06

Plant Restoration and Rehabilitation Final Design

1.3 Non-salary expenses and outside services attributable to the Project

CLIENT shall pay Compensation for expenses based on CONSULTANT's rate schedule below. The Rate Schedule provided below shall be in effect through completion of this Work Order:

- 1.3.1 Actual receipted cost of accommodations (not to exceed \$120 US per night)
- 1.3.2 A per diem for meals and other expenses \$45 US.
- 1.3.3 Mileage calculated at the federal reimbursement rate established by the U.S. General Services Administration for privately owned vehicles in effect on the date of the occurrence;
- 1.3.4 The identifiable costs of reproduction, printing, and binding and postage and shipping applicable to the Project;
- 1.3.5 The actual cost of outside services and subcontractors;
- 1.3.6 Actual receipted cost of field equipment rental supplied by a vendor for use on the Project;
- 1.3.7 The actual cost of permits and fees required for the project and paid by CONSULTANT;
- 1.3.8 The actual cost for additional insurance required by the Owner in excess of CONSULTANT's normal coverage's or limits;
- 1.3.9 The actual cost of premiums paid on overtime worked.



Work Order-06

Plant Restoration and Rehabilitation Final Design

ATTACHMENT B

Required Terms for Project Contracts and Subcontracts as defined in the NY State Revolving Fund Bid Packet for Non-construction Contracts and Service Providers

GUIDANCE FOR NON-CONSTRUCTION CONTRACTS

NEW YORK CLEAN WATER and DRINKING WATER STATE REVOLVING FUNDS
Administered by the New York State Environmental Facilities Corporation (EFC)

Contents of Bid Packet

- **PART 1: REQUIRED TERMS FOR PROJECT CONTRACTS AND SUBCONTRACTS**
The required contract language to be inserted into all non-construction contracts to satisfy Equal Employment Opportunity (EEO), Disadvantaged Business Enterprise (DBE) & Minority & Women Owned Business Enterprise (MWBE) and some other Clean/Drinking Water State Revolving Fund (SRF) Program requirements
- **PART 2: GUIDANCE MATERIALS**
Guidance 1: Equal Employment Opportunity and Minority & Women-Owned Business Enterprise Programs
A description of the EEO & MWBE requirements as they relate to non-construction contracts funded in whole or in part by the New York State Revolving Funds – all contracts and subcontracts
- **PART 3: REQUIRED FORMS**
A list and summary description of forms required for the MWBE and EEO programs.



NY State Revolving Fund MWBE / EEO Bid Packet for

Non-Construction Contracts

Effective October 1, 2013

New York State Environmental Facilities Corporation
625 Broadway, Albany, NY 12207-2897
(800) 882-9721
P: (518) 402-7396 F: (518) 402-7456
www.efc.ny.gov

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

Page 2

PART 1:

REQUIRED CONTRACT LANGUAGE

Required Terms for Project Contracts and Subcontracts

The following exhibit must be included in ALL non-construction contracts and subcontracts funded in whole or in part with SRF funds.

Check EFC's website (www.efc.ny.gov/mwbe) for updates.

Exhibit 1: EEO & MWBE Language & Goals and other program requirements

Page 3

EXHIBIT 1 REQUIRED TERMS FOR PROJECT CONTRACTS AND SUBCONTRACTS

In accordance with the terms and conditions set forth in Section 5.1 of the Project Finance Agreement, Recipient agrees that the following language will be included in all contracts and subcontracts regarding the Project including but not limited to those relating to non-construction, engineering, architectural, legal and fiscal services, as required by federal and State laws, regulations, and executive orders applicable to this Project:

DEFINED TERMS:

The term "Bid Packets" means the New York State Revolving Fund (SRF) Bid Packet for Construction Contracts and Bid Packet for Non-Construction Contracts and Service Providers, available at www.efc.ny.gov/mwbe.

The term "contractor", as used in this contract or subcontract, means, and applies to, all prime contractors, consultants and service providers as hereinafter defined, unless specifically referred to otherwise.

The term "subcontractor", as used in this contract or subcontract, means, and applies to, any individual or business enterprise that has an agreement with a contractor.

The term "EEO policy statement" means a statement of the contractor and subcontractor setting forth at least the following:

- (i) A statement that the contractor will provide for and promote equal employment opportunity free of discrimination and harassment against any person on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts relating to the Project.
- (ii) An agreement that all of contractor's solicitations or advertisements for employees will state that, in the performance of the contract relating to this Project, all qualified applicants will be provided with equal employment opportunity free of discrimination and harassment against any person on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law.
- (iii) An agreement to request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate or harass on the basis of race, color, national origin, age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein.
- (iv) An agreement to comply with the provisions of the Human Rights Law (Article 15 of the Executive Law), including those relating to non-discrimination on the basis of prior criminal conviction and prior arrest, and with all other State and federal statutory constitutional non-discrimination provisions.

The term "EFC" means the New York State Environmental Facilities Corporation.

The term "EPA" means the United States Environmental Protection Agency.

The term "ESD" means the Empire State Development Corporation - Division of Minority and Women's Business Development.

The term "Recipient" means the party, other than EFC, to a grant agreement or a project finance agreement with EFC through which funds for the payment of amounts due hereunder are being paid in whole or in part.

The term "Service Providers" means professional services, such as legal, engineering, financial advisory or other professional services, supplies, commodities, equipment, materials, and travel.

The term "State" means the State of New York.

INTERPRETATION:

This contract is subject to Article 15-A of the Executive Law (Article 15-A) and 5 NYCRR 140-145 (the Regulations) and shall be considered a State Contract as defined therein. If any of the terms herein conflict with Article 15-A or the Regulations, such law and regulations shall supersede these requirements.

REPRESENTATIONS AND ACKNOWLEDGMENTS OF CONTRACTOR & SUBCONTRACTOR:

The contractor acknowledges that funds for the payment of amounts due under this contract are being provided in whole or in part subject to the terms and conditions of a grant agreement or a project finance agreement with EFC.

The contractor represents that it has submitted an EEO policy statement, an EEO Workforce Staffing Plan for Service Provider (Non-construction) Contracts (if applicable), and an MWBE Utilization Plan (prime contractors only), prior to the execution of this contract.

Suspension/Debarment - The contractor is not a debarred or suspended party under 2 CFR Part 180, 2 CFR Part 1532 and 40 CFR Part 32. Further, neither the contractor nor any of its subcontractors have contracted with, or will contract with, any debarred or suspended party under the foregoing regulations or with any party that has been determined to be ineligible to bid under Section 316 of the Executive Law.

EQUAL EMPLOYMENT OPPORTUNITY (EEO), AFFIRMATIVE ACTION, MWBE AND OTHER COVENANTS:

Contractor and subcontractor shall comply with all federal and State laws, regulations, and executive orders applicable to this Project, and shall provide such documentation, including periodic reports, as may be requested from time to time and as set forth in guidance documentation available at www.efc.ny.gov/mwbe, including but not limited to the Bid Packets.

With respect to this contract, the contractor and subcontractor shall undertake or continue existing programs of affirmative action and equal employment opportunity to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, color, national origin (including limited English proficiency), age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law. For these purposes, affirmative action shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

EEO

EEO Workforce Staffing Plan - All Service Provider (non-construction) contractors and subcontractors shall submit an acceptable EEO Workforce Staffing Plan setting forth the anticipated work force to be utilized on such contract or, where required, information on the service provider's total work force, including apprentices, broken down by specific ethnic background, gender and Federal occupational categories or other appropriate categories specified by the Recipient. The EEO Workforce Staffing Plan is submitted prior to execution of a contract.

Required Reports - EEO Workforce Utilization Reports - Applies to Service Provider (Non-construction) Contracts and Subcontracts

During the term of this contract, the contractor and subcontractor shall update and provide notice to the Recipient of any changes to the previously submitted Staffing Plan in the form of an EEO Workforce Utilization Report. Contractor shall submit this information on a quarterly basis during the term of this contract to report the actual workforce utilized in the performance of the contract by the specified categories listed including ethnic background, gender, and Federal occupational categories. The EEO Workforce Utilization Report must be submitted to report this information. In the event a Contractor and Subcontractor's workforce does not change within the Quarterly period, the Contractor shall notify the Recipient in writing.

Required Reports - EEO Workforce Utilization Reports - Applies to Non-construction Contracts and Subcontracts

During the term of this contract, the contractor and subcontractor shall submit to the Recipient EEO Workforce Utilization Reports. Contractor and subcontractor shall submit this information on a monthly basis to report the actual labor hours utilized in the performance of this contract by the specified categories listed including ethnic background, gender, and Federal occupational categories. The EEO Workforce Utilization Report must be submitted to report this information.

All EEO Workforce Utilization Reports submitted by the contractor and subcontractor shall reflect a separation of the workforce utilized in the performance of this contract from contractor or subcontractor's total workforce. Contractor shall submit the EEO Workforce Utilization Report and indicate that the information provided relates to the actual workforce utilized on this contract. If contractor or subcontractor fails to separate the workforce to be utilized on this contract from the total workforce as determined by Recipient contractor shall submit the EEO Workforce Utilization Report and indicate that the information provided is contractor or subcontractor's total workforce during the subject time frame, not limited to work specifically under this contract.

Disadvantaged Business Enterprises - The contractor and subcontractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor and subcontractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor and subcontractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies. Contractors and subcontractors shall comply with the requirements set forth in the Bid Packets regarding Disadvantaged Business Enterprises.

REMEDIES:

Upon a determination by the Recipient of contractor's non-responsiveness, non-responsibility or breach as a result of a failure to comply with the requirements of Article 15-A and the Regulations, Recipient may withhold funds under this contract or take such other actions, impose liquidated damages or commence enforcement proceedings as set forth herein or as otherwise allowed by law or in equity.

If contractor or subcontractor fails to submit to Recipient an EEO policy statement consistent with the provisions set forth in clauses (i), (ii), (iii) and (iv) of the definition thereof and within the timeframe required

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

MWBE

MWBE Goals - The contractor agrees to pursue MWBE goals in effect at the time of execution of this contract. The MWBE goals shall be applied to the total amount being funded pursuant to the grant agreement or project finance agreement with EFC.

10/1/2012 - Present	MWBE Combined Goal*
All counties	20%

*May be any combination of MBE and/or WBE participation

Contractors shall solicit participation of MWBE contractors (including subcontractors, consultants and service providers) for SRF-funded projects in accordance with the aforementioned goals. The contractor must submit sufficient documentation to demonstrate good faith efforts to provide opportunities for MWBE participation for work related to the SRF-funded project in the event respective goals are not achieved. Guidance pertaining to documentation of good faith efforts is set forth in the Bid Packet.

The contractor agrees that for purposes of providing meaningful participation by MWBEs on the contract and achieving the goals, contractor will reference the directory of New York State Certified MWBEs found at the following internet address: ny.newmycontracts.com.

Subcontractors who in turn subcontract work shall also comply with MWBE requirements for that contract.

MWBE Utilization Plan (MWBE Utilization Plan requirements apply to contractors and are submitted prior to execution of a contract) - Each contractor shall prepare and submit to the Recipient for approval an MWBE Utilization Plan, and any revision or amendment thereto, that provides information describing MBEs and WBEs to be utilized at various times during the performance of this contract. The MWBE Utilization Plan shall identify the contractor's proposed MBE and WBE utilization for this contract and the MWBE participation goals for this contract as established by EFC. The MBEs and WBEs identified in the MWBE Utilization Plan must be certified by, or have applied for certification from ESD.

In the event that contractor's approved MWBE Utilization Plan does not propose achievement of the MWBE participation goals for this contract, contractor shall complete a waiver request as hereinafter referenced.

Submission - Within 30 days of execution of this contract, contractor shall submit to the Recipient copies of all signed subcontracts, agreements, and/or purchase orders referred to in the MWBE Utilization Plan.

Compliance - Contractor agrees to adhere to its approved MWBE Utilization Plan for the participation of MWBEs on this contract pursuant to their respective MWBE goals.

Waivers - If contractor's application of good faith efforts does not result in the utilization of MBE and/or WBE firms to achieve the aforementioned goals, prior to execution of a contract, the contractor shall complete the waiver request portion of the MWBE Utilization Plan and submit it to the Recipient. Contractor is entitled to receive a written notice of acceptance or denial within 20 days of receipt. Upon receipt of a notice of deficiency from Recipient, Contractor shall respond with written remedy to such notice within 7 days. Such response may include a request for a total or partial waiver of the aforementioned goals.

Contractor shall comply with the requirements set forth in the Bid Packets regarding waivers.

Required Reports - MWBE Monthly Report - Contractor agrees to submit a report to the Recipient by the 3rd business day following each end of month over the term of this contract documenting the progress made towards achievement of the MWBE goals of this contract.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

therefor, Recipient may declare this contract to be null and void.

Contractor and subcontractor agree that a failure to submit and/or adhere to its EEO policy statement, EEO Workforce Staffing Plan for Service Provider (Non-construction) Contracts (if applicable), and an MWBE Utilization Plan (contractors only), and any other required periodic reports, shall constitute a material breach of the terms of this contract, entitling Recipient to any remedy provided herein, including but not limited to, a finding of contractor non-responsiveness.

Liquidated or Other Damages - If it has been determined by the Recipient or NYSEFC that the contractor is not in compliance with the requirements herein or refuses to comply with such requirements, or if contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals, in accordance with Section 316-a of Article 15-A and 5 NYCRR §142.13, contractor shall be obligated to pay to Recipient liquidated damages or other appropriate damages as determined by the Recipient or EFC.

Liquidated damages shall be calculated as an amount not to exceed the difference between:

1. All sums identified for payment to MWBEs had the contractor achieved the contractual MWBE goals; and
2. All sums actually paid to MWBEs for work performed or materials supplied under this contract.

In the event a determination has been made by the Recipient or EFC which requires the payment of liquidated damages and such identified sums have not been withheld, contractor shall pay such liquidated damages to Recipient within sixty (60) days after they are assessed unless prior to the expiration of such sixty day, contractor has filed a complaint with ESD pursuant to Subdivision 8 of Section 313 of the Executive Law in which event the liquidated damages shall be payable if Director of ESD renders a decision in favor of Recipient.

RESTRICTIONS ON LOBBYING:

Contractor and subcontractor executing a contract in excess of \$100,000 agree to provide to the Recipient an executed Certification For Contracts, Grants, Loans, and Cooperative Agreements 40 CFR 34, in the form attached hereto, consistent with the requirements of 40 CFR Part 34.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

PART 2:

GUIDANCE MATERIALS

Equal Employment Opportunity (EEO) and Minority & Women-Owned Business Enterprise (MWBE) Programs

A description of the EEO & MWBE requirements as they relate to non-construction contracts funded in whole or in part by the New York State Revolving Funds:

Applicability:

This guidance applies to service provider (non-construction) contracts are written agreements where the SRF recipient (Recipient) commits to expend funds for services (including legal, engineering, financial advisory or other professional services, and labor); supplies; commodities; equipment; materials; and travel, or any combination thereof.

Purpose of Documents:

This guidance is designed to complement the required contract language as set forth in Part 1, by providing additional information intended to assist SRF Recipients and bidders in complying with EEO, MWBE, and other requirements of the SRF programs, including:

- New York State Executive Law, Article 15-A and New York Code of Rules and Regulations, Title 5 (5 NYCRR) Parts 140-145 (Regulations of the Commissioner of Economic Development)
- 40 Code of Federal Regulations (CFR) Part 33 – "Participation by Disadvantaged Business Enterprises in US EPA Programs"
- Restrictions on Lobbying

Service Providers are required to engage in procurement practices that will provide opportunities for meaningful participation of minority and women-owned business enterprises (MWBE) in providing labor, travel, equipment, materials, supplies, services (including legal, financial, engineering or other professional services), or any combination of the above, and practices to encourage the employment of minorities and women in the workforce.

Failure to report on EEO participation or to meet all the requirements of MWBE & DBE regulations in a timely manner may result in withholding of disbursements of SRF funds or other remedies as cited in the SRF financing agreement. This may affect the Service Provider's payments. If this is a project with a not-for-profit entity, please contact EFC for appropriate guidance.

Reference the EFC website to ensure the most recent forms and language. (www.efc.ny.gov/mwbe)

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

Page 10

from the total workforce as determined by Recipient, contractor shall submit the EEO Workforce Utilization Report and indicate that the information provided is contractor or subcontractor's total workforce during the subject time frame, not limited to work specifically under a particular contract.

II. MINORITY & WOMEN-OWNED BUSINESS ENTERPRISE (Prime Contracts Only)

A. MWBE REQUIREMENTS – Non-Construction Contracts

Recipients, contractors and subcontractors must comply with New York State Executive Law, Article 15-A and New York Code of Rules and Regulations, Title 5 (5 NYCRR) Parts 140-145 (Regulations of the Commissioner of Economic Development).

Non-construction contracts executed after October 13, 2010 with a value greater than \$25,000 funded with SRF financial assistance are subject to MWBE requirements.

Non-construction contracts, for the purposes of SRF MWBE compliance, are written agreements between an SRF Recipient and a Service Provider (or subcontractor) whereby the SRF Recipient commits to expend funds for the services (i.e. legal, engineering, financial advisory or other professional services, and labor); supplies; commodities; equipment; materials; and travel, or combination thereof in support of an SRF financed project.

Amendments or change orders for such non-construction contracts with a value greater than \$25,000 may be subject to MWBE requirements as well. The Prime contractor is to seek additional MWBE participation for the additional value of the contract.

If contracts with a value of \$25,000 or less have subsequent change orders or amendments that bring the total contract value to greater than \$25,000, the full value of the contract will then be subject to MWBE requirements.

B. MWBE PARTICIPATION GOALS (FAIR SHARE OBJECTIVES)

Based on the report The State of Minority and Women-Owned Business Enterprise: Evidence of New York (April 29, 2010) (NYS Disparity Study), there is a demonstrated availability of MWBEs throughout New York State. Contractors are required to solicit participation of MWBE contractors (including subcontractors, consultants, and service providers) for SRF funded projects.

MWBE participation goals will be based on the execution date of each respective contract, unless MWBE participation goals have been otherwise specified in an executed SRF financial assistance agreement.

10/13/2012 – Present	MWBE Combined Goal	20%
All counties		
May be any combination of MBE and/or WBE participation		
10/13/2011 – 9/30/2012	MWBE Combined Goal	10%
All counties		
May be any combination of MBE and/or WBE participation		
10/13/2010 – 9/30/2011	MBE Goals	WBE Goals
All other counties not in NYC	8.6%	8.8%
New York City and Long Island Region (Bronx, Brooklyn, Manhattan, Queens, Staten Island, Nassau, Suffolk)	16.6%	20.5%

C. RECEIVING CREDIT UNDER THE EFC MWBE PROGRAM

To receive MWBE participation credit, contractors performing work that have been identified in an approved MWBE Utilization Plan (See Subsection D1 below for more information) must be certified as an MBE or WBE by the Division of Minority and

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

Guidance 1: EEO & MWBE Programs

The New York State Environmental Facilities Corporation (EFC) implements the New York State Revolving Fund (SRF) for both Clean Water and Drinking Water projects. This guidance outlines the activities that must be performed by each contractor on an SRF funded project in order to comply with federal and New York State laws and regulations.

I. EQUAL EMPLOYMENT OPPORTUNITY

A. WORKFORCE DIVERSITY

Service Providers are required to document their efforts to meet EEO goals for the employment of minorities and women on all SRF funded projects (EEO Workforce Utilization Report). The United States Department of Labor (DOL) has established EEO goals for employment of minority and women. The goals are available on EFC's website. (www.efc.ny.gov/mwbe - Refer to Prime Contractor Folder)

B. EEO POLICY STATEMENT

The EEO Policy Statement is documentation of a contractor's policy of non-discrimination in accordance with federal and State laws. The EEO Policy Statement must be submitted to Recipient's MBO as part of any bid proposal; include language as defined above (see Required Terms for Project Contracts and Subcontracts – EEO Policy Statement definition), and be signed by each potential bidder.

The EEO Policy Statement can be found in the required forms section of this document and on EFC's website at www.efc.ny.gov/mwbe (Refer to Prime Contractor & Subcontractor folder).

C. EEO WORKFORCE STAFFING PLAN

With the Bid or when offering services, each Service Provider shall submit to the SRF Recipient an EEO Workforce Staffing Plan estimating the anticipated workforce to be utilized on the project. The EEO Workforce Staffing Plan shall include information on the service provider's total workforce, including apprentices, broken down by specific ethnic background, gender and Federal occupational categories.

Blank EEO Workforce Staffing Plans are found in the Required Forms section of this document and on EFC's website at www.efc.ny.gov/mwbe.

D. EEO WORKFORCE UTILIZATION REPORTS

Upon the execution of the contract and monthly thereafter, the contractor shall submit to the Recipient's MBO an EEO Workforce Utilization Report of the actual labor hours worked by ALL contractor AND subcontractor employees during the prior month period, on activities related to the contract, broken down by specific ethnic background, gender, and Federal occupational categories or other appropriate categories specified by the Recipient.

The EEO Workforce Utilization Report is part of the MWBE Monthly Payment Reports. Both the EEO Workforce Utilization Report and MWBE Monthly Report are found on the EFC website. (www.efc.ny.gov/mwbe - Refer to Prime Contractor folder).

All EEO Workforce Utilization Reports submitted by the contractor and subcontractor must reflect a separation of the workforce utilized in the performance of this contract from contractor or subcontractor's total workforce. The EEO Workforce Utilization Report must indicate that the information provided relates to the actual workforce utilized. If the contractor or subcontractor fails to separate the workforce to be utilized on this contract

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

Page 11

Women's Business Development, Empire State Development Corporation (ESDC). Conditional credit will be given for firms that have applications pending with ESDC.

Prime contractors that are certified MWBE will receive credit for MWBE participation.

A list of firms certified in New York State can be found on the ESD website at ny.newycontracts.com. Searches can be performed by the business name and commodity code or business description.

D. NON-CONSTRUCTION CONTRACTOR'S MWBE RESPONSIBILITIES

At the Time of Bid:

The completed forms listed below shall be part of the official bid submission by each competing contractor:

- EPA Form 6100-3 "DBE Subcontractor Performance Form" – Each potential bidder shall complete this form and submit it to the MBO for each MWBE firm contacted during the bid or proposal preparation process, and make reasonable efforts to obtain signatures from the MBEs and WBEs contacted.
- EPA Form 6100-4 "DBE Subcontractor Utilization Form" – This form shall be completed by each potential bidder and submitted to the MBO as part of the bid submission. On this form, each bidder offers their estimated plan for MBE and WBE utilization for their contract.

NOTE: The EEO Policy Statement should be completed and submitted at this time. See EEO section.

Prior to Award of the Contract:

- EPA Form 6100-2 "DBE Subcontractor Participation Form" - Distribute the form to MWBE Subcontractors who are listed on the 6100-4 form. Submit documented proof (e.g. email, letter, certified mail receipt) to the MBO that the 6100-2 form was sent to the MWBE Subcontractors. (See Required Forms)

NOTE: The EPA forms are not required for projects valued at \$250,000 or less in a year.

After Award of the Contract:

Each prime contractor is obligated to seek MWBE participation and document their good faith efforts to meet MWBE goals.

1. MWBE Utilization Plan

- Due Date: MWBE Utilization Plans and any revision or amendment thereto, are required to be submitted to the MBO no later than the date of execution of the contract.
- Preparation: Each contractor shall prepare an MWBE Utilization Plan that provides information describing MBEs and WBEs to be utilized during the term of the contract. The MWBE Utilization Plan will reflect the EFC MWBE goals that apply to the contract as well as the contractor's anticipated MWBE participation. The contractor will transmit the completed MWBE Utilization Plan form, with all pages filed out, to the MBO. Blank MWBE Utilization Plan forms are available on the EFC website. (www.efc.ny.gov/mwbe)

Utilization Plan revisions or amendments must be submitted to the MBO, preferably with the next monthly report.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

- c. NYS Certified: The MBEs and WBEs identified in the MWBE Utilization Plan must be certified by, or have applied for certification from:

Empire State Development Corporation
Division of Minority and Women's Business Development
625 Broadway
Albany, New York 12245
Phone: 1-800-782-8639
ny.newmycontracts.com

- d. Supplier Credit: Credit for MBE/WBE participation shall be granted for MWBE firms performing a commercially useful business function according to custom and practice in the industry.

"Commercially useful functions" normally include:

- Providing technical assistance to a purchaser prior to a purchase, during installation, and after the supplies or equipment are placed in service;
- Manufacturing or being the first tier below the manufacturer of supplies or equipment; or
- Providing functions other than merely accepting and referring requests for supplies or equipment to another party for direct shipment to a contractor.

MBE/WBE goal crediting:

- For MWBE suppliers who are manufacturers, fabricators, or official manufacturer's representatives who are warehousing such goods, up to 100% of the MBE/WBE objective may be credited.
- For non-manufacturer suppliers, up to 25% of the MBE/WBE objective may be credited.
- No credit will be granted for MBEs and/or WBEs acting merely as a passive conduit of funds from one firm to another.

- e. Broker Credit: Firms that are identified as brokers (on the ESD website or at EFC's discretion) may only be credited up to 25% of their full contract value.
- f. Waiver Request: If the contractor's application of good faith efforts does not result in the utilization of MBE and/or WBE firms to achieve the aforementioned goals or a specialty equipment/service waiver is requested, the contractor shall complete the waiver request portion of the MWBE Utilization Plan, attach appropriate documentation, and submit it to the MBO.
- See Section F for more information.

- g. MWBE Utilization Plan Acceptance vs. Notice of Deficiency: The MBO will evaluate a completed MWBE Utilization Plan. Upon review and application of the requirements set forth in this guidance, if the MBO finds the UP acceptable, they will forward to EFC for review. If the MBO finds the UP insufficient, they will work with the contractor to address deficiencies before submitting to EFC for review. A written notice of acceptance or denial will be issued by EFC within 20 business days of receipt of the UP. Upon notice of deficiency to the contractor from either the MBO or EFC, the contractor shall respond with a written remedy to such notice within seven (7) business days.

In coordination with the MBO, EFC will accept a Utilization Plan upon consideration of many factors, including the following:

- The Utilization Plan indicates that the MWBE proposed goals for the project will be achieved;

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

and the contact information, the contacts name and the outcome. If a bid was received, the bid price should also be included in the log. See a sample log entry below.

Date	MWBE Type	Company	Scope of work	Contact Name	Phone/Email	Solicitation Format	MWBE Response	Negotiation Required?	Selected? If not, Explain

If no response was received to an initial solicitation, at least one follow-up solicitation should be made in a different format than the first, e.g. fax followed by phone call. Any bids received from non-MWBE firms should also be tracked on the log.

Submit the EPA 6100-3 and 6100-4 forms that are required as part of all bids or proposals. A properly completed EPA 6100-3 form is good indication of a contact to an MWBE and their response to the contact. If solicitations do not result in obtaining sufficient participation of MWBE firms due to non-responsiveness, please contact the MBO or EFC MWBE representative for support.

- Copies of any advertisements of sufficient duration to effectively seek participation of certified MBE and WBEs timely published in appropriate general circulation, trade and MWBE oriented publications, together with listing and dates of publication of such advertisements. A log should be kept of the responses to the ads, similar to the log for MWBE firm solicitation and should include the non-MWBE firms that responded and the bid prices. Any negotiations should be documented in the log.
- Documents demonstrating that insufficient MBEs or WBEs are reasonably available to perform the work. Based on the NYS Disparity Study, there is a presumption of MBE and WBE statewide availability, unless information is submitted indicating otherwise.
- A written demonstration that the contractor offered to make up any inability to meet the project MWBE participation goals in other contracts and/or agreements performed by the contractor on another SRF funded project.
- The date of pre-bid, pre-award, or other meetings scheduled by the Recipient, if any, and the contact information of any MBEs and WBEs who attended and are capable of performing work on the project.
- Any other information or documentation that demonstrates the contractor conducted good faith efforts to provide opportunities for MWBE participation in their work. For instance, prime contractors and MBOs should develop a list of MWBE firms that have expressed interest in working on SRF funded projects
- The use of certified Disadvantaged Business Enterprises (DBE), Small Business Administration (SBA), and Veteran-Owned Small Businesses (VOSB) may be considered as a demonstration of Good Faith Efforts.

3. Subcontract Agreements - The contractor shall submit copies of all legally signed subcontract agreements, and purchase orders that are referred to in the MWBE Utilization Plan to the MBO within 30 days of their execution. These subcontracts and/or purchase orders must include the following information:
- Actual dollar amount of the subcontract;
 - A job description of the work to be performed by the subcontractor;
 - Signatures of both parties;
 - Date of execution;
 - MWBE language (included in this bid packet); and
 - A signed EEO Policy Statement Agreement (See Required Forms).

NOTE: Purchase orders must be sent with copies of both sides of cancelled checks.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

- A prime contractor, who is a certified MBE or WBE, will be credited for up to 100% of the category of their certification. However, good faith efforts to seek participation in the other category are required;
 - Adequate documentation to demonstrate good faith effort as described in Section D2.
- h. UP Acceptance: Within 10 days of the final acceptance of a MWBE Utilization Plan or Waiver Request, EFC will post the approved MWBE Utilization Plan or Waiver Request on the EFC website. www.efc.ny.gov/mwbe.
- i. Conditional UP: In coordination with the MBO, EFC may issue conditional acceptance of Utilization Plans pending submission of additional documentation that demonstrates there will be an increase in MWBE participation.
- j. Revisions of the MWBE Utilization Plans: If project conditions change such that the information submitted in the MWBE Utilization Plan is no longer valid, the contractor shall indicate the changes within the next monthly report to the MBO. At EFC's discretion, a completely revised MWBE Utilization Plan form and good faith effort documentation may be required to be submitted.
- k. Projects co-Funded with other state/federal agencies: In the event EFC is providing financial assistance to a project that is also financially supported by other state/federal agencies, EFC may defer to the MBE and WBE participation goals established for the project by those agencies.

2. Good Faith Effort Documentation

Prime contractors shall solicit participation of MWBE firms (including subcontractor, consultants and service providers) for SRF-funded projects in an effort to meet the appropriate goals. In the event respective goals are not achieved, the contractor must submit sufficient documentation to demonstrate good faith efforts have been made to provide opportunities to certified MWBE firms to participate in SRF-funded projects.

Examples of documentation of good faith efforts are set forth below:

- Information on the scope of work related to the contract and specific steps taken to reasonably structure the scope of work to break out tasks or equipment needs for the purpose of providing opportunities for subcontracting with or obtaining supplies or services from MBEs or WBEs.
- Printed screenshots of the directory of Certified Minority and Women Owned Businesses (MWBE directory) on ESO's website (ny.newmycontracts.com) on a statewide basis, if appropriate, for both MBEs and WBEs that provide the services or equipment necessary for the contract. Contact the MBO for assistance in performing a proper search including identifying a sufficient number of solicitations to show that good faith effort was made.
- Copies of timely solicitations and documentation that the contractor offered relevant plans, specifications, or other related materials to MBE and WBE firms on ESO's MWBE directory to participate in the work, with the responses.

The contractor is to offer sufficient advance notice proportional to the size and complexity of the contract to enable MBEs and WBEs to prepare an informed response to the solicitations for participation as a subcontractor or supplier. The solicitations and responses are required to be documented in a log to be submitted in the case where the goal is not met. The log should consist of the list of MBE and WBE firms solicited, their contact information, the type of work they were solicited to perform (or equipment to provide), how the solicitation was made (fax, phone, email)

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

4. Monthly Reports - The contractor must submit monthly MWBE payment reports supplemented with proof of payment to the MBO. Blank monthly report forms are available at www.efc.ny.gov/mwbe or from the MBO. Monthly reports should be submitted to the MBO within 3 business days after the end of each month being reported.

As part of the Monthly Report, the contractor must provide documentation to the MBO that subcontractors have been paid within 30 days of receipt of payment from the Recipient.

The final monthly payment report must reflect all Utilization Plan revisions or amendments.

5. Other Service Provider Responsibilities:

- Continue good faith efforts to seek opportunities for MBE and WBE participation even if proposed goals have been achieved. In addition, any revisions to an MWBE Utilization Plan must be documented in the next monthly report to the MBO for approval.
- Provide written notification to the MBO and EFC of any termination of an MBE or WBE subcontractor. This should be reported as part of the revised MWBE Utilization Plan.
- The EEO poster shall be displayed at the project site in a visible location. The EEO poster is at <http://www.dol.gov/easam/programs/osd/du/strefa/poster/matrix.htm>
- Provide timely and complete responses to inquiries from either the MBO or EFC staff as requested.
- Make all MWBE & EEO documents and records available upon request to EFC staff, the MBO, or their authorized representatives.
- Manage the project in a manner that creates meaningful opportunities for participation by MBEs and WBEs.
- Provide programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination on the basis of race, color, national origin (including limited English provision), age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law.

Additional guidance and requirements pertaining to the preparation and submission of the MWBE Utilization Plans can be found in the Exhibit 1: Required Terms for Project Contracts and Subcontracts.

NOTE: Failure by the contractor to receive acceptance of the MWBE Utilization Plan by the Recipient or EFC may result in withholding of progress payments. Such withholding of progress payments shall not relieve the contractor of any contract requirements including the completion of the project within the specified contract time.

E. SUBCONTRACTOR'S MWBE RESPONSIBILITIES

Subcontractors are those individuals or business enterprises that contract directly with contractors. Subcontractors should:

- Maintain their MWBE certifications, and notify the contractor and MBO of any change in their certification status.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

2. Respond promptly to solicitation requests by completing and submitting bid information in a timely manner.
3. Maintain business records that should include, but not be limited to, contracts/agreements, records of receipts, correspondence, purchase orders, and canceled checks.
4. Complete and submit the EPA Form 6100-3 "DBE Subcontractor Performance Form" to the contractor prior to submission of the bid. Provide a receipt of EPA Form 6100-2 "DBE Subcontractor Participation Form" to the contractor prior to award of contract.
5. Ensure that a required EEO Policy Statement is included in each subcontract. Additionally, signed versions of each subcontract should be sent to the MBO within 30 days of execution.
6. Provide programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination on the basis of race, color, national origin (including limited English provision), age, disability, sex, gender, sexual orientation, religion, genetic characteristics or information, status as a victim of domestic violence, veteran or military status, marital or family status, or any other discrimination prohibited by law.
7. Notify the MBO and EFC when contract problems arise, such as non-payment for services or when the subcontractor is not employed as described in the MWBE Utilization Plan.
8. Perform the subcontracted scope of work in a professional and timely manner.

F. WAIVER REQUESTS

1. Each contractor is required to create meaningful opportunities for certified MWBE participation and to offer the MWBE certified firms a fair share of their work. After making good faith efforts to create meaningful opportunities, a contractor may find that it is not possible to meet the MWBE goals. In that case, the contractor shall request for an MWBE waiver.
2. Even if an MWBE waiver is granted, EEO information must still be submitted. The EEO information is submitted as part of the Monthly Report.
3. Preparation: The contractor shall complete the waiver request portion of the MWBE Utilization Plan and submit it to the MBO along with adequate good faith effort documentation.
4. Waiver Review: The MBO and EFC will review each waiver request based on the good faith effort criteria presented above and the documentation submitted with the waiver request. EFC will not issue any automatic waivers from MWBE responsibilities. A full or partial waiver from the MWBE goals can be requested.
5. Specialty Equipment/Service Waiver: A specialty equipment/service waiver may be granted in cases where:
 - a. equipment is made by only one manufacturer;
 - b. the contract specifications call for equipment that is not available through an MWBE supplier;
 - c. the equipment is constructed on site by specially trained non-MWBE labor;
 - d. the service is not available through an MWBE (such as work done by National Grid);
 - e. the service is proprietary in nature (such as use of certain computer software necessary for control systems); or
 - f. the service cannot be subcontracted (such as litigation services).

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

between:

1. All sums identified for payment to MWBEs had the contractor achieved the contractual MWBE goals; and
2. All sums actually paid to MWBEs for work performed or materials supplied under this contract.

In the event a determination has been made by the Recipient or EFC which requires the payment of liquidated damages and such identified sums have not been withheld, contractor shall pay such liquidated damages to Recipient within sixty (60) days after they are assessed unless prior to the expiration of such sixtieth day, contractor has filed a complaint with ESD pursuant to Subdivision 8 of Section 313 of the Executive Law in which event the liquidated damages shall be payable if Director of ESD renders a decision in favor of Recipient.

J. RESTRICTIONS ON LOBBYING

Each contractor and subcontractor which has a contract with Recipient exceeding \$100,000 shall provide to the Recipient an executed certification on the form provided, that it will not expend appropriated federal funds to pay any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, officer or employee of Congress or any employee of any Member of Congress in accordance with the provisions of 40 CFR Part 34, and to maintain such certification for their own records.

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

If the contract includes specialty equipment or services, and documentation is submitted demonstrating that there are no MWBE firms capable of completing this portion of the contract, the specialty amount of the contract may be deducted from the total contract amount and the goals would be applied to the MWBE Eligible Amount. This determination is made at the discretion of the MBO and EFC.

Example:

\$200,000	-	\$50,000	=	\$150,000
(Contract)		(Specialty equipment/service)		(MWBE Eligible Amount)

The MWBE goal is applied to the remaining balance.

A request for this specialty equipment/service deduction can be completed by filling out section two of the MWBE Utilization Plan and submitting it to the MBO. The request must include a copy of the page from the contract where the equipment/service is described and the cost of each item. Additional documentation may be requested by the MBO or EFC.

G. PROTESTS/COMPLAINTS

Subcontractors or contractors who have any concerns, issues, or complaints regarding the implementation of the SRF MWBE/EEO Program, or wish to protest should do so in writing to the project MBO and EFC. The MBO, in consultation with EFC, will review the circumstances described in the submission, investigate to develop additional information, if warranted, and determine whether action is required. If the subcontractor believes the issue has not been resolved to their satisfaction, they may appeal in writing to EFC for consideration.

H. WASTE, FRAUD AND ABUSE

Subcontractors, contractors, service providers, or Recipients who know of or suspect any instances of waste, fraud, or abuse within the MWBE & EEO Program should notify the project MBO and EFC immediately. Additionally, suspected fraud activity should be reported to the USEPA – Office of Inspector General Hotline at (888) 546-8740 or the New York State Office of Inspector General at (800) 367-4448.

I. REMEDIES

If a Recipient makes a determination that a contractor has been non-responsive, is non-responsive, or is in breach as a result of a failure to comply with the requirements of Article 15-A and the Regulations, Recipient may withhold funds under the contract or take such other actions, impose liquidated damages or commence enforcement proceedings.

If a contractor or subcontractor fails to submit to Recipient an EEO policy statement within the required timeframe, Recipient may declare the contract to be null and void.

A failure to submit and/or adhere to an EEO policy statement and an MWBE Utilization Plan, and any other required reports, shall constitute a material breach of the terms of the contract between contractor and Recipient, and justify a finding of contractor non-responsiveness.

Liquidated or Other Damages - If it has been determined by the Recipient or EFC that the contractor is not in compliance with the requirements herein or refuses to comply with such requirements, or if contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals, in accordance with Section 316-a of Article 15-A and 5 NYCRR §142.13, contractor shall be obligated to pay to Recipient liquidated damages or other appropriate damages as determined by the Recipient or EFC.

Liquidated damages shall be calculated as an amount not to exceed the difference

The SRF Bid Packet
Guidance for SRF Non-Construction Contracts

Revision Date: 10/1/2013

PART 3:

REQUIRED FORMS

FOR NON-CONSTRUCTION CONTRACTS

*The SRF Bid Packet
Guidance for SRF Non-Construction Contracts*

Revision Date: 10/1/2013



Environmental
Protection Agency

OMB Control No: 2090-0080
Approved: 05/01/2008

EPA Form 6100-2
**Disadvantaged Business Enterprise Program
DBE Subcontractor Participation Form**

NAME OF SUBCONTRACTOR	PROJECT NAME
ADDRESS	CONTRACT NO.
TELEPHONE NO.	EMAIL ADDRESS
PRIME CONTRACTOR NAME	

Please use the space below to report any concerns regarding the above EPA-funded project (e.g., reason for termination by prime contractor, late payment, etc.).

CONTRACT ITEM NO.	ITEM OF WORK OR DESCRIPTION OF SERVICES RECEIVED FROM THE PRIME CONTRACTOR	AMOUNT SUBCONTRACTOR WAS PAID BY PRIME CONTRACTOR

Subcontractor Signature _____

Title/Date _____

*Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)

All MWBE & EEO required forms can be found on the EFC website (www.efc.ny.gov/mwbe)

The following (Attached) SRF forms are required for the bidding process:

1. EPA Form 6100-2 "DBE Subcontractor Participation Form"
This form is to be distributed to all MWBE subcontractors and proof of distribution should be submitted to the MBO.
2. EPA Form 6100-3 "DBE Subcontractor Performance Form"
This form should be completed by each MWBE subcontractor contacted during the bid preparation process for non-construction contracts, maintained in the contractor's files, and submitted to the MBO with the bid.
3. EPA Form 6100-4 "DBE Subcontractor Utilization Form"
This form should be completed by the Service Provider as an estimate of which MWBE subcontractors will be used on the project, maintained in the contractor's files, and submitted to the MBO with the bid.
4. EEO Policy Statement
To be completed by all Service Providers and submitted to the MBO with the bid. This form may be included in the contract.
5. Lobbying Certification
To be completed by all Service Providers and subcontractors (over \$100,000) and submitted to the Recipient with the bid.

The following (Non-Attached) SRF forms are required subsequent to the bid award:

1. MWBE Utilization Plan and/or Waiver Request
These forms are completed by the Service Provider and submitted to the MBO no later than date of execution of the contract.
2. EEO Staffing Plan
This form is completed by the Service Provider and submitted with the Utilization Plan to the MBO. It summarizes the character of the work force related to the contract, including subcontracted staff.
3. EEO Workforce Utilization Report
This form is completed by the Service Provider and submitted on a Quarterly basis to the MBO. It summarizes the character of the actual work force related to the contract, including subcontracted staff.
4. MWBE Monthly Report Form
To be completed by the Service Provider and submitted to the MBO.

*The SRF Bid Packet
Guidance for SRF Non-Construction Contracts*

Revision Date: 10/1/2013



Environmental
Protection Agency

OMB Control No: 2090-0080
Approved: 05/01/2008

**Disadvantaged Business Enterprise Program
DBE Subcontractor Participation Form**

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information; processing and maintaining information; and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Participation Form to this address.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008

EPA Form 6100-3

Disadvantaged Business Enterprise Program
DBE Subcontractor Performance Form

NAME OF SUBCONTRACTOR:		PROJECT NAME
ADDRESS		BID/PROPOSAL NO.
TELEPHONE NO.		E-MAIL ADDRESS
PRIME CONTRACTOR NAME		
CONTRACT ITEM NO.	ITEM OF WORK OR DESCRIPTION OF SERVICES BID TO PRIME	PRICE OF WORK SUBMITTED TO PRIME CONTRACTOR
<div>Currently certified as an MBE or WBE under EPA's DBE Program? <input type="checkbox"/> Yes <input type="checkbox"/> No Signature of Prime Contractor Date Print Name Title _____ Signature of Subcontractor Date _____ Print Name Title _____</div>		

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008

Disadvantaged Business Enterprise Program
DBE Subcontractor Performance Form

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Performance Form to this address.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008

EPA Form 6100-4

Disadvantaged Business Enterprise Program
DBE Subcontractor Utilization Form

BID/PROPOSAL NO.		PROJECT NAME	
NAME OF PRIME BIDDER/PROPOSER		E-MAIL ADDRESS	
ADDRESS			
TELEPHONE NO.		FAX NO.	
The following subcontractors will be used on this project:			
COMPANY NAME, ADDRESS, PHONE NUMBER, AND E-MAIL ADDRESS	TYPE OF WORK TO BE PERFORMED	ESTIMATE D DOLLAR AMOUNT	CURRENTLY CERTIFIED AS AN MBE OR WBE?
<div>I certify under penalty of perjury that the foregoing statements are true and correct. In the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302(c).</div> <div>Signature of Prime Contractor _____ Date _____ Print Name _____ Title _____</div>			

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008

Disadvantaged Business Enterprise Program
DBE Subcontractor Utilization Form

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Utilization Form to this address.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)

AGREEMENT TO ABIDE BY EQUAL EMPLOYMENT OPPORTUNITY
POLICY STATEMENT REQUIREMENTS
NEW YORK STATE REVOLVING FUND (SRF)

I, _____, am the authorized representative of _____.
I hereby certify that _____ will abide by the equal employment
opportunity (EEO) policy statement provisions outlined below.

- (i) A statement that the contractor will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status against any employee or applicant for employment, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts relating to the Project.
- (ii) An agreement that all of contractor's solicitations or advertisements for employees will state that, in the performance of the contract relating to this Project, all qualified applicants will be afforded equal employment opportunities without discrimination on the basis of race, creed, color, national origin, sex, age, disability or marital status.
- (iii) An agreement to request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein.
- (iv) An agreement to comply with the provisions of the Human Rights Law (Article 15 of the Executive Law), including those relating to non-discrimination on the basis of prior criminal conviction and prior arrest, and with all other State and federal statutory constitutional non-discrimination provisions.

Blank EEO Policy Statements are available at www.efc.ny.gov/mwbc, if needed.

If contractor fails to submit to Recipient an EEO policy statement consistent with the provisions set forth above in clauses (i), (ii), (iii) and (iv) and within the timeframe required thereof, Recipient may declare this contract to be null and void.

X

Contractor/Service Provider Representative

Once completed, please provide to the Prime Contractor and/or the community MBO

The SRF Bid Packet
Guidance for SRF Construction Contracts

Revision Date: 10/1/2018

CERTIFICATION
FOR
CONTRACTS, GRANTS, LOANS, AND
COOPERATIVE AGREEMENTS
40 CFR 34

SRF Project No.: _____

The undersigned each certify, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-L.L.L., "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: _____
Name: _____
Title: _____
Date: _____
Contract ID: _____



Legislative Branch

RL Number:
15-12
Date Submitted:
4/29/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes, P.E.

Title/Department: Acting City Engineer, Engineering Dept.

Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: Amendment to Existing Agreement with Delta Engineers on the Exchange St

Bridge Rehabilitation Project, PIN 9753.10, for a Time Extension to December 31, 2015.

St Bridge Rehabilitation, PIN 9753.10 Project.

Suggested Content: This request for a time extension to December 31, 2015 is for continued
construction support and inspection services, including project closeout that may take extra time after
construction completion to compile. The completion date for this agreement will change from
April 30, 2015 to December 31, 2015 due to the construction contract end date extended.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>

January 27, 2015 (via email)

Mr. Richard K. Perkins, PE, Sr. Engineer
City of Binghamton
38 Hawley Street, 3rd Floor
Binghamton, NY 13901-3776

**RE: PIN 9753.10 Exchange Street over Susquehanna River
BIN 2226160
Request for Time Extension
Delta Project No.: 2008.160.001**

Dear Mr. Perkins:

Because the completion date for the construction contract on the referenced project has been extended to August 31, 2015, we are requesting an extension of time in order to provide uninterrupted construction support and inspection services, including project closeout paperwork that can take several months following construction completion.

This request for time extension modifies the original agreement approved by the City of Binghamton on October 5, 2009, as modified by Supplemental Agreement No. 1 signed on March 11, 2013 and Supplemental Agreement No. 2 signed on August 6, 2014 for the reference project as follows:

- The end date for this agreement will change from April 30, 2015 to December 31, 2015.

Please have one copy of this letter signed by an authorized representative of the City of Binghamton and returned to us, signifying approval for this extension of time request.

Signed:  Date: _____

Respectfully,
DELTA ENGINEERS, ARCHITECTS, & LAND SURVEYORS, P.C.



David L. Kennicutt, PE
Senior Project Manager



Legislative Branch

RL Number:

15-13

Date Submitted:

1/29/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes, P.E.

Title/Department: Acting City Engineer, Engineering Dept.

Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: A Resolution Declaring Binghamton City Council as Lead Agency Under SEQR
on the BJCJSTP BAF Restoration and Rehabilitation Project.

Suggested Content: The Binghamton City Council will be acting as the Lead Agency under SEQR
on the BJCJSTP BAF Restoration and Rehabilitation Project.

Additional Information

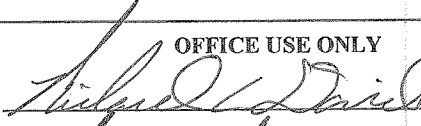


Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input checked="" type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



Legislative Branch

RL Number:

15-14

Date Submitted:

1/29/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes, P.E.

Title/Department: Acting City Engineer, Engineering Dept.

Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: A Resolution Declaring Binghamton City Council as Lead Agency Under SEQR
for the Washington St. Parking Project

Suggested Content: The Binghamton City Council will be acting as the Lead Agency under SEQR
for the Washington St. Parking Project.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

Mayor:

Comptroller:

Corporation Counsel:

Finance ☐

Planning ☐

MPA ☐

PW/Parks ☒

Employees ☐

Rules/Special Studies ☐



Legislative Branch

RL Number:

15-15

Date Submitted:

1/29/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: CHUCK SHAGER

Title/Department: COMPTROLLER

Contact Information: CESHAGER@CITYOFBINGHAMTON.COM 772-7011

RL Information

Proposed Title: 2015 BOND ORDINANCE(S)

Suggested Content: REQUESTING APPROVAL FOR A BOND ORDINANCE FOR SPECIFIC PROJECTS THAT WERE APPROVED IN THE 2015 BUDGET.

Additional Information

Does this RL concern grant funding? Yes ☒ No ☐

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY	
Mayor:	<u>Michael David</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>

Project Group A	Est PPU	Fund	Amount	Grants	
Range Simulator	5	General	63,150		
Street Reconstruction	15	General	3,000,000		
Mill and Pave	10	General	500,000		
Water Line Improvements	40	Water	2,000,000		
Sewer Line Improvements	40	Sewer	1,200,000		
LED Street Lights and Ramps	15	General	4,000,000		
NY Rising Storm and Sanitary	40	General	750,000	750,000	
Parking Ramps	10	Ramps	2,000,000		
Conduit Repair	15	General	50,000		
State St Reconstruction	15	General	600,000	600,000	
Pool Upgrades	15	General	250,000		
ADA Bleachers	5	General	20,000		
Pool Deck Upgrades	15	General	30,000		
Totals			<u>14,463,150</u>	<u>1,350,000</u>	
Group B					
Our Space-Rec Park	15	General	500,000	500,000	
S. Washington St Pedestrian Bridge	15	General	60,000		New
Council Roof	15	General	100,000		New
Washington St Mall	15	General	336,000		New
LWRP Plan	15	General	100,000	100,000	
Sludge Extraction System	15	Water	2,500,000		
ADA improvements	15	General	250,000		New
70-72 Court	30	General	500,000	500,000	Possible RAN
Total			<u>4,346,000</u>	<u>1,100,000</u>	
Group A - Projects that will have a limited amount of questions and SEQR requirements					
Group B- Projects that will have questions and different level of SEQR, or were not in Budget					
Projects approved in 2015 that we are not going to do					
Conduit Repair		General	50,000	Reduced by 50,000	
Signal Replacements		General	600,000	Did not receive Grant	
Collier St Commons		General	2,500,000	Did not receive Grant	
CDBGCR Grant (Sr.Housing)		General	4,000,000	Did not receive Grant	
Total			<u>7,150,000</u>		



Legislative Branch

RL Number:

15-16

Date Submitted:

1/30/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Jeremy Pelletier, City Clerk

Title/Department: City Clerk's Office

Contact Information: 607-772-7005

RL Information

Proposed Title: A Resolution authorizing various amendments to the 2015 tax roll, for properties owned by Broome County

Suggested Content: Cancel tax on ¹⁵ Munsell Street and 47 North Street

*These properties were taken by County 1/14/14
And due to Clerical Error were Not Exempted
on the 2014 Assessment Roll.*

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY

Mayor: _____

Comptroller: _____

Corporation Counsel: _____

Finance ☒ Planning ☐ MPA ☐ PW/Parks ☐ Employees ☐ Rules/Special Studies ☐



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 15

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

County of Broome

1a. Name of Owner

PO Box 1766

Binghamton NY 13902

1b. Mailing Address

030200 160.31-1-34

Day()

Evening ()

2. Telephone Number

47 North Street

Binghamton NY

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000204770

6. Amount of taxes currently billed \$2,376.05

7. I hereby request a correction of tax levied by City of Binghamton
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): County Owned Exempt Property, clerical error
exemption not applied to roll - need to cancel tax

12/17/2014

Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 12-17-14

Period of warrant for collection of taxes: 1-1-15

Last day for collection of taxes without interest: _____

Recommendation: ☒ Approve application* ☐ Deny Application

Date

Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due:

\$ _____

Date

Interest and penalties (if applicable):

\$ _____

Total corrected tax due:

\$ _____

Tax roll corrected:

Date

Tax bill corrected:

Date

Application and Order annexed to tax roll:

Date

Payment of corrected tax received:

Date_____
Date_____
Signature of Collecting Officer



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 15

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

County of Broome

1a. Name of Owner

PO Box 1766

Binghamton NY 13902

1b. Mailing Address

030200 144.83-1-9

Day()

Evening()

2. Telephone Number

15 Munsell Street

Binghamton NY

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00001105270

6. Amount of taxes currently billed \$1,280.16

7. I hereby request a correction of tax levied by City of Binghamton
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): County Owned Exempt Property, clerical error
exemption not applied to roll - need to cancel tax

12/17/2014

Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 12-17-14

Period of warrant for collection of taxes: 1-1-15

Last day for collection of taxes without interest: _____

Recommendation: ☒ Approve application* ☐ Deny Application

Date

Signature of County Director

*☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due:

\$ _____

Date

Interest and penalties (if applicable):

\$ _____

Total corrected tax due:

\$ _____

Tax roll corrected:

Date

Tax bill corrected:

Date

Application and Order annexed to tax roll:

Date

Payment of corrected tax received:

Date_____
Date_____
Signature of Collecting Officer



Legislative Branch

RL Number:

15-17

Date Submitted:

1/30/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: William Barber

Title/Department: Parks

Contact Information: 772-7017

RL Information

Proposed Title: AN ORDINANCE AUTHORIZING THE CITY TO ACCEPT DONATIONS FOR
THE "OUR SPACE" AT RECREATION PARK PROJECT

Suggested Content: To allow the City to accept donations and establish revenue and expense
budget lines for the "Our Space" project.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☐

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): _____

OFFICE USE ONLY

Mayor:

Comptroller:

Corporation Counsel:

Finance ☒ Planning ☐ MPA ☐ PW/Parks ☐ Employees ☐ Rules/Special Studies ☐



Legislative Branch

RL Number:

15-18

Date Submitted:

11/30/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

Applicant Information

Request submitted by: Gary R. Holmes, P.E.

Title/Department: Acting City Engineer, Engineering Dept.

Contact Information: grholmes@cityofbinghamton.com

RL Information

Proposed Title: *mohin* A Resolution Declaring Binghamton City Council as Lead Agency Under SEQR on the Our Space Project at Recreation Park.

Suggested Content: The Binghamton City Council will be acting as the Lead Agency under SEQR on the Our Space Project at Recreation Park.

Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	<i>[Signature]</i>
Comptroller:	<i>[Signature]</i>
Corporation Counsel:	<i>[Signature]</i>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input checked="" type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>